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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,132	09/18/2003	Alan Chen	644-030	7178
7590		12/28/2006		
Ward & Olivo 708 Third Avenue New York, NY 10017				
			EXAMINER GEREZGIHER, YEMANE M	
			ART UNIT 2144	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/667,132

Applicant(s)

CHEN ET AL.

Examiner

Yemane M. Gerezgiher

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 13-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 13-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/16/2006 has been entered.

2. Claims 1-8 and 13-24 remain pending in this application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 13-20, 22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by North et al (U.S. Patent Number 6,505,245) hereinafter referred

to as North.

As per claims 1: A remote computer management system [See Title, Abstract and Column 5, Lines 40-60] comprising:

a plurality of remote computers; [See Abstract, Fig. 2 and Column 5, Lines 41-60: North disclosed a method and a system for remotely monitoring and controlling plurality of network devices connected in the network].

at least one user interface unit coupled to a keyboard, video monitor and cursor control device to said remote computers, said user interface unit comprising circuitry for receiving and transmitting keyboard, cursor control device and video signals; [See Abstract, Figures 1a-2, Column 8 Lines 23-67: North taught a system administrator's management device having therein an interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the user interface coupling with video monitor for displaying information transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for generating instructions for the remotely monitored and controlled computing devices. For further details See Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60]; and

a plurality of computer interface units, each of said computer interface units being coupled to one of said remote computers, said computer interface units comprising circuitry for receiving and transmitting keyboard, cursor control device and video signals, and a signaling circuit for generating a signal upon detection of a specific event [See Abstract, Figure 2, Column 8 Lines 23-67: North taught plurality of computer interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the plurality of user interfaces coupled with video monitor for displaying information transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for generating instruction signals for the remotely monitored and controlled computing devices upon detection a specific event occurs in the network and specifically in any of the remotely located computing devices. See also Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60];

a computer management unit which bi-directionally communicates with said user interface unit and said computer interface unit [Fig. 2 and Column 8, Lines 60-67, North disclosed a management unit coupled with multiple interfaces of the managed network devices and where the communication been bi-directional (\leftrightarrow , Fig. 2, #s 76 and 74)].

wherein said computer interface unit bi-directionally communicates with said user interface unit over a network [Fig. 2 and Column 8, Lines 60-67, North disclosed the communication been bi-directional (\leftrightarrow , Fig. 2, #s 76 and 74)]; and

wherein said computer management unit provides a link on said video monitor to enable access to a select one of said plurality of remote computers upon said detection of said specific event [Fig. 6, Steps 128-132, disclosed detecting an event and transmitting detected event to a management console; and event(s) been displayed on the management console (see Fig. 7, under the heading Management links directed to the detected events and other reports) and further executing actions based upon received event information (see step 132 of Fig. 6)].

As per claim 13: wherein said system further comprises a computer management unit coupled to said computer interface units enables bi-directional communication among said user interface units and said remote computers [Fig. 2 and Column 8, Lines 60-67, North disclosed a management unit coupled with multiple interfaces of the managed network devices and where the communication been bi-directional (\leftrightarrow , Fig. 2, #s 76 and 74)].

As per claim 14: wherein said user interface unit sends a request to said computer interface unit via said computer management unit [Fig. 2, Column 11, Lines 57-67 and Column 17, Lines 15-17].

As per claim 15: wherein said signaling circuit signal is generated in response to said request [Column 6, Lines 40-67 and Column 16, Lines 41-45, North disclosed a function of determining and generating event/status of response alert signal of a monitored network devices where the event detected to indicate operational status of a monitor-able communication devices].

As per claim 16: wherein said signaling circuit signal is transmitted to said user interface unit, which displays a notification message on said video monitor upon receipt of said signaling circuit signal [Column 6, Lines 40-67, Column 16, Lines 41-45 and Column 8, Lines 23-67].

As per claim 17: A remote device management system [See Title, Abstract and Column 5, Lines 40-60] comprising:

a plurality of remote interface modules, each said remote interface module for physically connecting to keyboard, cursor control device and video cables of one a plurality of remote devices and for receiving and transmitting keyboard, cursor control device and video signals [See Abstract, Figure 2, Column 8 Lines 23-67: North taught plurality of computer interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the plurality of user interfaces coupled with video monitor for displaying information transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard,

mouse and other input output devices for generating instruction signals for the remotely monitored and controlled computing devices upon detection a specific event occurs in the network and specifically in any of the remotely located computing devices. See also Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60];

a signaling circuit within said remote interface module responsive to a signaling circuit control signal, wherein said signaling circuit is capable of generating a signal in response to said signaling circuit control signal [Column 6, Line 40 through Column 7, Line 5];

at least one management unit coupled to each of said remote interface modules [Fig. 2, #30 (a management unit) coupled to (44-1 – 44-N) remote interface modules; and

at least one user interface device coupled to a keyboard, cursor control device, and video monitor for receiving and transmitting keyboard; cursor control device and video signals; wherein said user interface device is capable of producing said signaling circuit control signal [See Abstract, Figures 1a-2, Column 8 Lines 23-67: North taught a system administrator's management device having therein an interface coupling input and output devices for receiving and transmitting signals when monitoring and controlling the remotely located plurality of computing devices. North further disclosed the user interface coupling with video monitor for displaying information

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transmitted thereto by a management terminal and further equipped with the conventionally configured keyboard, mouse and other input output devices for generating instructions for the remotely monitored and controlled computing devices. For further details See Column 2, Lines 34-65, Column 6, Lines 40-65, Column 8, Lines 23-67, and Column 16, Line 38 through Column 17, Line 60]; and

wherein each said remote interface module is connected via a single network cable to said management unit [Fig. 2, North disclosed a remote console interfaced with network via a single communication medium as desired in column 2, Lines 28-43].

As per claim 18: wherein said response signal indicates the status of said remote devices [Column 6, Lines 40-67 and Column 16, Lines 41-45, North disclosed a function of determining and generating event/status of response alert signal of a monitored network devices where the event detected to indicate operational status of a monitorable communication devices].

Claim 19 has substantially similar limitation as claim 18 above. Thus, it is rejected under the same rationale. Furthermore, North taught the status been a status of the monitored module in the network device remotely managed and controlled (see Column 16, Lines 41-45).

As per claim 20: wherein said response signal is transmitted to said user interface device and upon receipt of said response signal, a status message is displayed on said video monitor [Column 6, Lines 40-67, Column 16, Lines 41-45 and Column 8, Lines 23-67].

As per claim 22: North disclosed monitoring for events at said plurality of remote devices via said interface module comprising a signaling circuit [Column 2, Lines 33-42, Column 3, Lines 5-18]; detecting said event at said interface module; producing a response signal in response to said event detection [Column 2, Lines 52-55, North disclosed detecting an event and generating a signal information indicating the detected event]; transmitting said signal to said user interface device [Column 2, Lines 61-65, North disclosed transmitting information signal alert indication of the detected event]; and displaying a notification message on a video monitor in response to said transmitted signal [Column 6, Lines 40-67, Column 16, Lines 41-45 and Column 8, Lines 23-67]; and providing a link to enable access to a select one of said plurality of remote devices [Fig. 2, Fig. 6, Steps 128-132, disclosed detecting an event and transmitting detected event to a management console; and event(s) been displayed on the management console (see Fig. 7, under the heading "Management" links directed to the detected events and other reports including groups and users link) and further executing actions based upon received event information (see step 132 of Fig. 6)]; wherein said notification message indicates an occurrence of said event [Column 6, Lines 50-59].

As per claim 24: wherein said signaling circuit produces said response signal [Column 6, Lines 40-67 and Column 16, Lines 41-45, North disclosed a function of determining and generating event/status of response alert signal of a monitored network devices where the event detected to indicate operational status of a monitor-able communication devices].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-8, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over North et al (U.S. Patent Number 6,505,245) as applied to claim 1 above and further in view of Srinivasan et al (U.S. Pub. No: US 2004/0148385 A1) hereinafter referred to as Srinivasan.

The teachings of North substantially disclosed the invention as claimed. However, North was silent about generating an audible or visual signal in response to a detection of an event in the plurality of remotely monitored network devices.

However, as evidenced by the teachings of Srinivasan to emit an audible and visual alert (as in claims 2-4 and 21) in response to a detection of an event in the plurality of remotely monitored network devices was known in the art at the time of the invention. See Page 3 ¶ [0032]. A GUI generating a signaling control signal (claim 10) was taught by Srinivasan. See Fig. 1 and Page 2 ¶[0022]&[0025]. Furthermore Srinivasan taught generating the audible alert/signal (claims 5 and 6) in response to a hardware and/or firmware condition on the monitored computer device(s). See Page 3 ¶ [0032] and Page 4 ¶ [0037]-[0041]. Now an artisan working with the teachings of Srinivasan related to generating an audible signal, generating signals to indicate an event detected on a monitored network devices would have been aware such a notification alert would be used in indicating status of any other task such as of applicants claimed limitations “in response to the completion of a firmware upgrade on said computer interface” (as in claims 6, 7 and 23), “audible signal indicating the status of an upgrade to said computer” (as in claim 8), would have been obvious modifications, which does not change the scope of the invention disclosed by Srinivasan, because making use of one audible signal to indicate an event associated with software or hardware related event (as disclosed by Srinivasan) to indicate other types of events would have been an arbitrary or an obvious modification to one of ordinary skill in the art at the time the invention was made. See Figures 1-5, Page 1 ¶ [0009] through page 2. ¶ [0025], and Page 3 ¶ [0027-0032].

Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Srinivasan related to generating an audible or visual signal in response to a detection of an event in a plurality of monitored computing devices and have modified the teachings of North related to remotely monitoring and controlling plurality of network elements in a communication network in "order to provide automatic notification as to any network server problems and to provide corrective actions to be taken". See Page 2 ¶ [0020].

Response to Arguments

7. Applicant's arguments filed 10/16/2006 have been fully considered but they are not persuasive.

a. The inventive entity argues that "North does not teach a computer management unit that provides a link on a video monitor at a user workstation to enable access to a remotely located computer by clicking on the link upon detection of a specific event".

→ The examiner respectfully disagrees with that contention. As recited above in claim rejection 1, North taught a management unit providing a link on said video monitor enabling access to a select one of said plurality of remote computers upon said detection of said specific event [Fig. 6, Steps 128-132, disclosed detecting an event and transmitting detected event to a management console; and event(s) been displayed on

the management console (see Fig. 7, under the heading Management links directed to the detected events and other reports) and further executing actions based upon received event information (see step 132 of Fig. 6)].

b. The inventive entity recites, “North also fails to teach a plurality of computer interface unit comprising a signaling circuit in communication with a separate computer management unit (e.g. communication via a LAN or the Internet)” [Remarks, Page 9, ¶2].

→ Examiner notes that applicant’s argument, as recited/argued is not claimed. No “plurality of computer interface unit comprising a signaling circuit **in communication with a separate computer management unit** via a LAN or the Internet” is recited in the claims. No connectivity of such interfaces is made with “separate” computer management unit. Nevertheless, examiner note that North disclosed remote manageable devices (#26-1 through 26-n, in Fig. 2), been in communication with a management terminal # 30, and alternatively been connected to plurality of management consoles 38, 36, 32 virtually connected to the manageable remote devices via a global communication network (Internet # 34).

c. The inventive entity argues, "North does not teach the reception and transmission of keyboard, cursor control device and video signal" [Remarks, Page 9, ¶3].

→ Examiner respectfully disagrees with such statement. As pointed out in the body of the claim rejection (claim 1), North taught processing keyboard, cursor control device and video signal (Column 8, Lines 24-36).

d. The inventive entity further alleges, "...the present invention does not require all the remote computers to be in a single location close to the switch (as required by North)" [Remarks, Page 10, ¶2]. Furthermore, the inventive entity alleges, "Srinivasan requires an additional software program (i.e. event detection module) to be installed on the remote computer, ..." [Remarks, Page 11, ¶2].

→ As previously argued in the last office action, the inventive entity presents statements that are already addressed. Examiner note that there is no functional limitation of the claims that calls for coverage of limitations directed to covering extended distances, the location of the monitored devices been or not been in a single location or a building. Note that the specification is not the measure of the invention. Thus, limitations contained therein cannot be read into the claims for the purpose of avoiding the prior art. In response to applicant's argument that the references fail to show certain features of applicant's invention,

it is noted that the features upon which applicant relies (i.e., covering extended distances, the location of the monitored devices been or not been in a single location or a building and or been directly connected with separate management units via a communication network such as the Internet) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

e. Applicant further argues that “both North and Srinivasan fail to teach a system and method for locating and detecting errors and status of a plurality of remote devices, as well as enabling access and control of a problem remote device simply by a user at a user workstation clicking on a link, which may be provided by the computer management unit [Remarks, Page 12, ¶2].

➔ The examiner respectfully disagrees. The response to the arguments, a-d properly corresponds to this particular argument. Furthermore, the examiner note that the already combined teachings of North and Srinivasan have disclosed “locating and detecting errors and status of a plurality of remote devices, as well as enabling access and control of a problem remote device simply by a user at a user workstation clicking on a link, which may be provided by the computer management unit” see

examiner's response to arguments above and North, Column 6, Lines 40-67 and Column 16, Lines 41-45, and Srinivasan, Fig. 1 and Page 2 ¶[0022]&[0025], Page 3 ¶ [0032] and Page 4 ¶ [0037]-[0041]. Both the teachings of North and Srinivasan taught the argued features as recited in the claim. In fact most of applicant's concern and arguments on the remark directed to the shortcoming of the prior art has been addressed in the background section of North (see Column 1, Lines 40-66). Furthermore, North disclosed a remote device monitoring and controlling plurality of manageable network devices via the Internet (Column 2, Lines 33-65 and Column 5, Lines 40-67, Column 6, Lines 50-59, Column 8, Lines 18-67, Column 9, Lines 6-9) and taking a corrective step in correcting errors detected in the manageable communication devices (Column 7, Lines 3-5). Additionally, Srinivasan disclosed, "...a support specialist can then come up with an appropriate corrective action to fix a hardware problem that resulted in the hardware event being detected by the Event Monitoring Module 110. For example, the support specialist may have the **ability to remotely run a specific "repair"** program on the end user computer to try to solve the hardware problem at the end user computer". See Srinivasan, ¶0034.

Conclusion

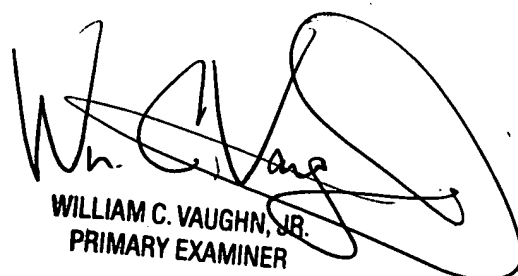
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YMG

YMG,
Examiner, CS


WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER